FOR MYSORE STATE

(1954) Department

MS. SERIES.

G.O. No. 546

546

Dated 16-2-54

[Despatch Abstract.]

-H. Mangalore - Port Fund - Constitut

Memo No 82851/F/53-2 dt 18.9.53

Sub: Mangalore Port Trust Bill - Further action.

The Mangalore Port Trust Bill, 1953 will become Law shortly. With a view to implement the provisions of the Act, the SPO is requested to take necessary steps in this regard, by way of preparing draft notifications and submit proposals to the Govt. wherever necessary

9.53 / 10.9.53

11/9/53

14.9.53

Note: The Mangalore Port Trust Bill will become Law shortly as the President has given his consent. The Act will be published in the T. S. G. G. Meanwhile the SPO may be requested to take steps to implement proposals in the necessary draft notifications etc. and submit proposals to Govt. Draft above is for approval - Legal

9.53 / 10.9.53

11/9/53

14-9-53

Legal

Seen in Legal

17-9-53

Pw 17

Pw

Pw 17/9/53

83604

Pw 17 no 82851/F/53-2

15-9-53

ASSISTANT SECRETARY 15106 16 SEP 1953 LEGAL DEPARTMENT

Legal No 15106/1

Memo No 8285 1 F/53-3 dt 29.10.53

Sub: Mangalore Port Trust Bill - Further action.

Ref. Memo No 8285 1 F/53-2 dt 18 9/53

The S.P.O is requested to expedite his proposals.

29/10/53

The S.P.O

29.10.53

29.10.53

V. URGENT

From
L.H.Cornish Esq.,
State Port Officer,
Post Box No.13,
Madras-1.

To
The Secretary to Government,
Public Works Department,
Madras.

5 DEC 1953

No.3425-G1/53-4 dated 4th Decr.1953.

Sir,

Sub:-Mangalore Port Trust Bill - Draft Notifications -
Ref:-Government Memo No.82851 F/53-2 dated 18-9-53
and my letter to Government No.3425-G1/53-3,
dated 18-11-1953.

With reference to the Government Memo cited, I forward herewith draft notifications under Sections 33(2), 34 and 36 of the Indian Ports Act, XV of 1908, in duplicate, together with a copy of the Mangalore Port Officer's Note to the Port Conservancy Board, and the Board's approval thereto, in their resolution No.V dated 17-11-1953.

2. I consider that the date fixed viz: 1-2-1954 by the Port Conservancy Board for the formation of a Port Trust at Mangalore as a hurried measure leaving little time for the change over and would if Government approve, suggest it be deferred to 1-4-1954 please.

Encls:-

Draft Notifications (in duplicate) with a copy of Port Officer's Note to the Port Conservancy Board and Resolution as received from the Port Officer.

Yours faithfully,

State Port Officer.

23 NOV 1953
MADRAS

Ref. to the Mangalore Port Conservancy Board.

With reference to your letter No. [illegible] dated 20-8-53, I have to place before the Board the following:-

The construction of jetties at Port Trust at Mangalore was taken up in 1950 expecting to ship iron ore from Mangalore from Kudremukh Project and to collect a remunerative rate of Rs. 4 per ton from the date of the withdrawal order placed before the Government by the Port Trust. Actual work started only in 1952 and the Port Trust could not commence shipping the Kudremukh iron ore which was to be exported on 12-8-1950. Although the Port Officer recommended to levy duty at full rate of Rs. 4, the Board resolved to levy half rate, i.e., Rs. 2 per ton on foreign vessels and coastal vessels and full rate i.e., Rs. 4 per ton on foreign ships (vessels engaged in foreign trade) with effect from 12-8-50 and the collection of the Port Conservancy Duty was ordered.

In view of the anticipated reconstruction of the Trust wharf and the Board being the main source of income I consider that the resolution of the Board passed in 1950 needs revision in the light of the following remarks:-

The present rates of duties and the proposed Port Trust rates are as follows:-

Present.

Class of Vessels.	Present rate of Port Dues.	Frequency of le
(1) Vessel or ship or steamer coming into the Mangalore Outer Harbour and in the Canara.	As. 6/-	The payment of the port will be the ship or steam a period of eight h free liability to p the due remain at the port.
(2) Ship or Foreign ship or Steamer will not enter the Port in the Canara.	As. 4/-	The due is payable each entry into the
(3) Vessel of the coasting trade coming into the Mangalore Outer Harbour and not entering the Canara.	As. 3/-	The payment of at the first port in this coast will extend the ship a period of fifty days from the to leave the harbour at that or any other port in the coast.
(4) Any vessel, ship or steamer coming to the Canara.	As. 3/-	~~Irrespective of the above conditions the duty payment of six months shall be made to the Port Authorities whether the vessel~~ The due is payable for the voyage.
(5) Country craft or boat.	As. 2/-	The payment of the port will be ship for a period fifty days from the payment of the port.
(6) Country craft or boat coming	As. 1/-	The payment of the

STATE PORT OFFICE
23 NOV 1953
MADRAS

13

A statement showing financial implications on account of the ab proposals worked out on the dues collected in 1952-53 is herewith app

Port dues collected in 1952-53.	Port dues that would have been collected as per above proposals.	Port dues that would have been collected as per Board's Resolution No. dated
Foreign		
(a) (0-4-0) 1600	(a) (0-2-0) 1050-0-0	(a) 0-2-0 700-
(b) (0-4-0) 25250	16837-8-0	" 12625-
(c) (0-6-0 - 0-4-0) a 0-2-0 "	-	--
(d) Do. 3500	3750-0-0	" 2500-
Coastwise		
(a) 0-3-0 9500	(b) 0-2-0 9500-0-0	(b) " 9500-
(f) 0-4-0 3350	(c) 0-3-0 1675-0-0	(c) " 1675-
43200	24612-8-0	27000-

It is seen from the above that as per the above proposals there will be a deficit of Rs.2787/-.

If it is decided to levy half the port dues on class (a) and (c) and retain class (b) as provided in Board's resolution No. the deficit will be Rs.15000/- and such deficit the Port Trust in its present position may not afford to balance the budget as the anticipated expenditure under the State Minor Ports Fund on an average will be Rs.17

In this connection the members of the Board are requested to o comments in the matter.

Mangalore, 16-11-1953.

M/11-11.

N.S.Bhandas 12/11
Port Officer.

NOTE II.

The Board is also requested to propose the date from which the formation of the Port Trust Board should take effect. In this connec it is for the information of the Board that any order increasing or posing Port Dues under Section 33 and 34 of the Indian Ports Act sha not effect till the expiry of sixty days from the day on which the O was published in the Official Gazette. Hence the necessity of an ad resolution.

N.S.Bhandas.
Port Officer.

Mangalore, 16-11-1953.

Resolution No.V of the Port Conservancy Board, Mangalore dated 17th September 1953.

23 NOV 1953

From the State Port Officer's Endt. No.3425 G1/53-1 dated 28.9.53, proposing to submit draft notifications to the Government as follows:-

(i) A draft Notification under Section 33(2) of the Indian Ports Act 1908, constituting Mangalore as a separate port.

(ii) A draft Notification under Section 34 of the Indian Ports Act 1

(iii) A draft Notification under Section 36 of the Indian Ports Act appointing the Proposed Port Trust Board, Mangalore, to receive dues etc. and to expend the receipts.

Read the Port Officer's Note I and II and also the draft Notification I, II and III prepared on the basis of the aforesaid Notes.

"Approved. The Trust should be formed from 1-2-1954."

(Copy)

Port office, Mangalore I.)
P.B.No.146.)
Dated 20th November 1953.)

Ribeiro 21/

Port Officer.

MA.20/11.

DRAFT NOTIFICATION

I.

In exercise of the powers conferrred by section 33 (2) of the Indian Ports Act, 1908, the Governor of Madras is pleased to make the following alterations in the entries in Part II of the first schedule of the Act with effect from 1-2-1954.

(1) The entry "Mangalore" shall be deleted from the entries under "Western Group".

(2) After the entries relating to "Tuticorin" the following entries shall be inserted, viz:-

Name of Port.	Vessels chargeable.	Rate of Port Dues.	Dues how often chargeable in respect of the same vessel.
(1)	(2)	(3)	(4)
MANGALORE	Sea going vessels of 15 tons and upwards.	Foreign Vessels (a) In the case of any foreign ship or steamer calling at Mangalore - Not exceeding four annas a ton.	
		Coasting Vessels (b) In the case of a coasting ship calling at Mangalore - Not exceeding two annas a ton.	The payment of t due at the Port will exempt the ship for a perio of sixty days fr liability to pay the due again.
		(c) In the case of a coasting steamer calling at Mangalore - Not exceeding four annas a ton.	The due is payable once in thirty days.

II.

Under Section 34 of the Indian Ports Act, 1908, the Governor of Madras hereby notifies that, with effect from 1-2-1954 the rate of Port Dues leviable at the Port of Mangalore on sea-going vessel of the burthen of 15 tons and upwards shall be two annas per ton for the several classes of vessels in entries (b) and (c) and anna three for the class of vessels in entry (a) in the t the Notification I above.

III.

Under Section 36 of the Indian Ports Act, 1908, t Madras hereby appoints with effect from 1-2-1954 the Board, Mangalore, to receive any dues, fees, or other rised to be taken at the Port of Mangalore by or und and subject to the control of the Local Government. t receipts on any of the objects authorised by that Ac

STATE PORT OFFICER.

Extract from Letter No.4107-g1/53-2 dated 7th December, 1953, from the State Port Officer, Madras, to the Secretary to Government, P.W.D., Madras.

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Sub:- The Tuticorin Port Trust (Application to Mangalore) Act, 1953.

Ref:- Government Memo No.88841/F/53-2 P.W., dated 23-11-53.

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xxx xxxx

xxxx

In this connection, please see para 2 of my letter to Government No.3425-G1/53-4 dated 4-12-1953 and to draft notification III enclosed thereto. For the reason shown in the foregoing para, the date 1-4-1954 suggested therein would appear impracticable. In the draft notification III referred to, for the words "Port Trust Board", please substitute the words "Port Conservancy Board" - vide G.O.No. 569 Fin. (Marine), dated 29-11-1923, for a similar case, when the Port Fund was constituted for the port of Tuticorin.

(True Extract)

Immediate. 21 P.W.D. (F.)

Memo. No. 82851 F/53-4 dt 19-1-54

Mangalore Port Trust Act, 1953 - Draft notifications.

From the S.P.O. Letter No. 34258/53.4 dt 4-12-53.

The S.P.O. is requested to furnish immediately in duplicate, an up-to-date copy of Part II of the First Schedule to the Indian Ports Act, 1908, indicating clearly the amendment that has been made to the schedule with reference to the orders in G.O.Ms.No. 569 Fin (Ports) dt 29-11-'23.

19.1.54

19/1/54.

18-1-54

Note:

is not available in office. Hence the reference on plants.

18.1.54

18.1.54

Immediate.

23 P.W.D.(Fi)

Memo. No. 82851F/53-5 dt. 20-1-54.

Mangalore Port Trust Act, 1953. Draft notifications.

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p7 ✓ From the S.P.O. Letter No. 3425 pl/53.4 dt. 12.

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p20 & Act at (4) With reference to section 33(5) of the Indian Ports Act, 1908, an order increasing or imposing port-dues under section 33 of the Act shall not take effect till the expiration of sixty days from the date on which the order was published in the Official Gazette. But it is observed from G.O. Ms. No. 569 Fin (Trans) dt. 28.11.23, relating to the constitution of a separate port fund for Tuticorin Port that the notifications published and

pp. 5-6 / (2)

24 24

as the end of Nov. 1923 and the pay rates; pay dues were brought into force with effect from 1.1.1924, even before the expiry of 60 days from the date of publication of the notification in the Gazette. The S.P.O. is required to explain the apparent discrepancy

20.1.24

20/1. The S.P.

19/1/24 19.1.24.

IMMEDIATE

7

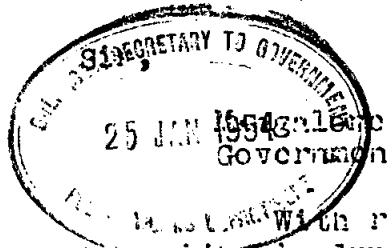
From:
L.H.Cornish Esq.,
State Port Officer,
P.B.No.13,
Madras-1.

6111

To:
The Secretary to Government,
Public Works Department,
Madras.

25

No.3425 G1/53-5 dated 23rd January 1954.



Madras Port Trust Act 1953 - Draft Notifications -
Government Memo No.82851 F/53-4 P.W. dated 19-1-54.

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With reference to the Government Memo cited, I furnish herewith, in duplicate, an up-to-date copy of Part II of the first schedule to the Indian Ports Act 1908 (XV of 1908).

Yours faithfully,

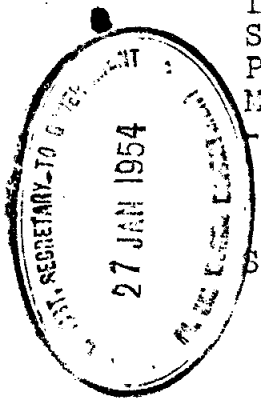
State Port Officer.

Encl: statement in duplicate.

AT/23.

From
L.H.Cornish Esq.,
State Port Officer,
Post Box No.13,
Madras-1.

To
The Secretary to Government,
Public Works Department,
Madras.



No.3425-G1/53-6 Dated 25th Jany. 1954.

Sir,

Sub:-Mangalore Port Trust Act, 1953 - Draft Notification.
Ref:-Government Memo No.82851-F/53-5 P.W., Dated 20-1-1954.

In reply to the Government Memo cited, I have to state that no increase or imposition of port dues ~~order~~ in the case in question calling for 60 days notice. There ~~was~~ only alterations in the entries in Part II of the First schedule to the Indian Ports Act - vide preamble to the notification regarding constitution of Tuticorin Port Fund.

Yours faithfully,

State Port Officer.

G.O.Ms.No. P.W. D/ -

The Govt. direct tha the Port of Mangalore shall be withdrawn from the Western Gro of ports mentioned in Part II Schedule I to the Indian Ports Act, 1908, (Central Act XV of 1908), and constituted into a separate port for the purposes that schedule. They also direc that with effect on and from th 1st May 1954, the Port Fund account of the Port of Mangalo shall be kept separate from the accounts of the Minor Ports Fu

2. The Government also direct:-

(a) that the port Fu be administered by the Port Conservancy Board, Mangalore subject to the control of the S.P.O.;

(b) that the working expenses of the Port Fund in it initial stages be met from the Landing and Shipping Fund of th port abject to adjustment as th balances of the new fund become available; and

(c) that the charges account of the establishment of

the Mangalore Landing and Shipping Fund be met from the Mangalore Landing and Shipping Fund direct, from the 1st May 1954.

3. The following notifications will be published in the Fort St. George Gazette and in the South Kanara District Gazette.—

NOTIFICATIONS.

I.

In exercise of the powers conferred by section 33(2) of the Indian Ports Act, 1908 (Central Act XV of 1908), the Governor of Madras hereby makes the following alterations to Part II of the First Schedule to the said Act, with effect on and from the 1st May 1954.—

In the said Schedule—

(1) in part II, the entry, "Mangalore", shall be deleted; from the entries in column (1) under "Western Group",

(2) after the entries relating to "Tuticorin" in column (1), the following entries shall be inserted, namely:—

Name of Port.	Vessels chargeable.	Rate of Port Dues.	Dues how often chargeable in respect of the same vessel.
(1)	(2)	(3)	(4)
South Kanara District. MANGALORE	Sea going vessels of 15 tons and upwards.	Foreign Vessels. (a) In the case of any foreign ship or steamer calling at the port Mangalore - Not exceeding four annas a ton.	The due is payable on each entr into port.
		Coasting Vessels. (b) In the case of a coasting ship calling at the port Mangalore - Not exceeding two annas a ton.	The payment o the due at th Port will exempt the sh for a period sixty days fr liability to pay the due again.

(2)	(3)	(4)
	(c) In the case of a coasting steamer calling at Mangalore —Not exceeding four annas a ton.	The due is payable or in this days.

II. In exercise of the powers conferred by Under Section 34 of the Indian Ports Act, 1908 (Central Act XV of 1908), the Governor of Madras hereby notifies that, with effect on and from the 1st May 1954, the rates of port dues leviable at the Port of Mangalore on sea-going vessels of the burthen of 15 tons and upwards shall be (a) two annas per ton in case of a coasting ship or steamer, ~~for the several classes of vessels in entries (b) and (c)~~ and annas (b) three annas in the case of a foreign ship or steamer. ~~for the class of vessels in entry (a) in the third column of the Notification No. ---- above.~~

III. In exercise of the powers conferred by Under Section 36 of the Indian Ports Act, 1908 (Central Act XV of 1908), the Governor of Madras hereby appoints with effect on and from the 1st May 1954, the Port Conservancy Board, Mangalore, to receive any dues, fees, or other charges authorised to be taken at the Port of Mangalore by or under the said Act and subject to the control of the ~~Local~~ State Government, to expend the receipts on any of

the objects authorised by ~~that~~ the said Act.

To

The S.P.O.
The A.G., Madras.
The Examiner of L.F. Acc
The Collr. of S.K. Dt.
The S.G.P. for Publn. of the Notfns. in the Gazettes.

S/C.5.

opy of letter No. 226 G1/55-2 dated 8-9-55 from the State Port fficer, Post Box No.13, Madras-1 to the Secretary to Government, ublic Works Department, Madras, through the Examiner of Local Fun ccounts.

Sub: Establishment - Mangalore Port Trust - Absorption of existing staff - Service condition.

Ref: G.O.Ms.No.2382 Public Works dated 21-6-1955.

...

The Mangalore Port Fund was constituted from 1-5-54 vide G.O.Ms.No.546 Public Works 16-2-54. The pensionable staff at the Port Office, Mangalore were paid from the Minor Port Fund upto 30-4-54 and thereafter from the Mangalore Port Fund with effect from 1-5-54 on the constitution of the Mangalore Port Fund. Even though the Port Trust Board was formed and the staff is considered to have been absorbed under the Mangalore Port Trust service with effect from 1-10-54, it is presumed, that under the above circumstances the services of the staff actually paid from the State Minor Ports Fund i.e. upto 30-4-54 will alone count for purposes of pensionary liability to the State Minor Ports Fund. I request that this presumption may please be confirmed.

X X X

Copy of letter No. 6092 L.F. Office of the Examiner of Local Fund Accounts, Madras-1, dated 3-10-55 to the Secretary to Government, Public Works Department, Fort St. George, Madras.

Forwarded.

2. In G.O.Ms.No.546, Public Works, dated 16th February 1954, the Mangalore Port Fund account was separated from the Minor Ports Fund account from 1st May 1954 and the employees at the Mangalore Port were paid from the Mangalore Port Fund or Mangalore Port Trust Fund, as the case may be and not from the Minor Ports Fund after that date. The view of the State Port Officer that the services of the staff actually paid from the Minor Ports Fund, that is, upto 30 th April 1954 will alone count for purposes of pensionary liability to the State Minor Ports Fund is endorsed.

(True Copy)

cpsd. 20/10.

SUPERINTENDENT.

Copy of letter No. 226 G1/55-2 dated 8-9-55 from the State Port Officer, Post Box No.13, Madras-1 to the Secretary to Government, Public Works Department, Madras, through the Examiner of Local Fu Accounts.

Sub: Establishment - Mangalore Port Trust - Absorption of existing staff - Service condition.

Ref: G.O.Ms.No.2303 Public Works dated 21-6-1955.

...

The Mangalore Port Fund was constituted from 1-5-54 vide G.O.Ms.No.546 Public Works 16-2-54. The pensionable staff the Port Office, Mangalore were paid from the Minor Port Fund upt 30-4-54 and thereafter from the Mangalore Port Fund with effect from 1-5-54 on the constitution of the Mangalore Port Fund. Even though the Port Trust Board was formed and the staff is considered to have been absorbed under the Mangalore Port Trust service with effect from 1-10-54, it is presumed, that under the above circumstances the services of the staff actually paid from the State Minor Ports Fund i.e. upto 30-4-54 will alone count for purposes of pensionary liability to the State Minor Ports Fund. I request that this presumption may please be confirmed.

X X X

Copy of letter No. 6092 L.F. Office of the Examiner of Local Fund Accounts, Madras-1, dated 3-10-55 to the Secretary to Government, Public Works Department, Fort St. George, Madras.

Forwarded.

2. In G.O.Ms.No.546, Public Works, dated 16th February 1954, the Mangalore Port Fund account was separated from the Minor Ports Fund account from 1st May 1954 and the employees at the Mangalore Port were paid from the Mangalore Port Fund or Mangalore Port Trust Fund, as the case may be and not from the Minor Ports Fund after that date. The view of the State Port Officer that the services of the staff actually paid from the Minor Ports Fund, that is, upto 30th April 1954 will alone count for purposes of pensionary liability to the State Minor Ports Fund is endorsed.

(True Copy)

cmd. 20/10. SUPERINTENDENT.

71 P.W.D.

PORTS - Mangalore - Port Fund - Constituted.

Read: From the State Port Officer letter No. 3425 G1/53-4 dated 4-12-1953.

G.O.Ms.No. 546 P.W. 16.2.54

The Government direct that the Port of Mangalore shall be withdrawn from the "Western Group" of ports mention in Part II of Schedule I to the Indian Ports Act, 1908, (Central Act XV of 1908 and constituted into a separate port for the purposes of that Schedule.

2. They also direct ~~that with~~ (A) that with effect on and from the 1st May 1954, the Port Fund account of the Port of Mangalore shall be kept separate from th accounts of the Minor Ports Fund;

(B) that the Port Fund be administered by the Port Conservancy Board, Mangalore, subject to the control of the State Port Officer;

(C) that the working expenses of the Port Fund in its initial stages be met from the Landing and Shipping Fund of the port subject to adjustment as the balances of the new fund become available; and

(D) that the charges on accoun of the establishment of the Mangalore Landing and Shipping Fund be met from th Mangalore Landing and Shipping Fund dire from the 1st May 1954.

3. The following notifications

will be published in the Fort St. George Gazette and in the South Kanara District Gazette:--

NOTIFICATIONS.

I.

In exercise of the powers conferred by section 33(2) of the Indian Ports Act, 1908(Central Act XV of 1908), the Governor of Madras hereby makes with effect on and from the 1st May 1954, the following alterations to Part II of the First Schedule to the said Act:-

ALTERATIONS.

In the said schedule -

(1) in part II, in the entries in column (1) under "Western Group", the entry, "Mangalore", shall be omitted; and

(2) at the beginning of the same part, in the entry in column (1) relating to Tirunelveli district, after the entries relating to "Tuticorin" in column (1), the following entries shall be inserted, namely:--

Name of Port.	Vessels chargeable.	Rate of Port Dues.	Dues how often chargeable in respect of the same vessel.
(1)	(2)	(3)	(4)
South Kanara District.			
MANGALORE	Sea going vessels of 15 tons and upwards.	Foreign Vessels. (a) In the case of any foreign ship or steamer calling at the Mangalore Port - Not exceeding four annas a ton.	The due is payable on each entry into port.
		Coasting Vessels. (b) In the case of a coasting ship calling at the Mangalore Port - Not exceeding two annas a ton.	The payment of the at the Port will exempt the ship for a period of sixty days from liability to pay the due agai

(3)	(4)
(c) In the case of a coasting steamer calling at the Mangalore Port - Not exceeding four annas a ton.	The due is payable once in thirty days.

II.

In exercise of the powers conferred by section 34 of the Indian Ports Act, 1908 (Central Act XV of 1908) the Governor of Madras hereby notifies that, with effect on and from the 1st May 1954, the rates of port dues leviable at the Port of Mangalore on seagoing vessels of the burthen of 15 tons and upwards shall be:—

(a) two annas per ton in the case of a coasting ship or steamer, and

(b) three annas in the case of a foreign ship or steamer.

III.

In exercise of the powers conferred by section 36 of the Indian Ports Act, 1908 (Central Act XV of 1908), the Governor of Madras hereby appoints with effect on and from the 1st May 1954, the Port Conservancy Board, Mangalore, to receive any dues, fees, or other charges authorised to be taken at the Port of Mangalore by or under the said Act and subject to the control of the State Government, to expend the receipts on any of

the objects authorised by the said Act.

A.C.S.
6.2.54

M.S.R.
6-2-54

To
The S.P.C.
The A.G. Madras
The Examiner of L.P.
The Collr.of S.V.Dt.
The G.C.P. for pubn.
of the Notifications
in the Gazettes.

s/cs. 10.

37

IMMEDIATE

GOVERNMENT OF MADRAS
Abstract

PORTS - Mangalore - Port Fund - Constituted.

Public Works Department

G.O.Ms.No. 546 dated 16th February 1954
Read the following:

From the State Port Officer letter No. 3425 G1/53-4 dated 4-12-1953.

ORDER

The Government direct that the Port of Mangalore shall be withdrawan from the "Western Group" of ports mentioned in Part II of Schedule I to the Indian Ports Act, 1908, (Central Act XV of 1908), and constituted into a separate port for the purposes of that Schedule.

2. They also direct

(A) that with effect on and from the 1st May 1954, the Port Fund account of the Port of Mangalore shall be kept separate from the accounts of the Minor Ports Fund;

(B) that the Port Fund be administered by the Port Conservancy Board, Mangalore, subject to the control of the State Port Officer

(C) that the working expenses of the Port Fund in its initial stages be met from the Landing and Shipping Fund of the port subject to adjustment as the balances of the new fund become available; and

(D) that the charges on account of the establishment of the Mangalore Landing and Shipping Fund be met from the Mangalore Landing and Shipping Fund direct from the 1st May 1954.

3. The following notifications will be published in the Fort St.George Gazette and in the South Kanara District Gazette:--

NOTIFICATIONS

I.

In exercise of the powers conferred by section 33(2) of the Indian Ports Act, 1908(Central Act XV of 1908), the Governor of

ALTERATIONS

In the said schedule -

(1) in part II, in the entries in column (1) under 'Western Group', the entry, 'Mangalore', shall be omitted; and

(2) at the beginning of the same part, in the entry in column (1) relating to Tirunelveli district, after the entries relating to 'Tuticorin' in column (1), the following entries shall be inserted, namely:--

Name of Port	Vessels Chargeable.	Rate of Port Dues.	Dues how often chargeable in respect of the same vessel.
(1)	(2)	(3)	(4)
South Kanara District MANGALORE	Sea going Vessels of 15 tons and upwards.	Foreign Vessels. (a) In the case of any foreign ship or steamer calling at the Mangalore Port - Not exceeding four annas a ton	The due is payable on each entry into port
		Coasting Vessels (b) In the case of a coasting ship calling at the Mangalore Port - Not exceeding two annas a ton.	The payment of the due at the Port will exempt the ship for a period of sixty days from liability to pay the due again.
		(c) In the cases of a coasting steamer calling at the Mangalore Port - Not exceeding four annas a ton.	The due is payable once in thirty days

II.

In exercise of the powers conferred by section 34 of the Indian Ports Act, 1908 (Central Act XV of 1908), the Governor of Madras hereby notifies that, with effect on and from the 1st May 1954, the rates of port dues leviable at the Port of Mangalore on sea-going vessels of the burthen of 15 tons and upwards shall be:--

(a) two annas per ton in the case of a coasting ship or steamer, and

(b) three annas in the case of a foreign ship or steamer

III.

In exercise of the powers conferred by section 36 of the Indian Ports Act, 1908, (Central Act XV of 1908), the Governor of Madras hereby appoints with effect on and from the 1st May 1954, the Port Conservancy Board, Mangalore, to receive any dues, fees, or other charges authorised to be taken at the Port of Mangalore by or under the said Act and subject to the control of the State Government, to expend the receipts on any of the objects authorised by the said Act.

(By Order of the Governor)

H.S.Ram,
Deputy Secretary to Government

The State Port Officer
The Accountant General, Madras
The Examiner of Local Fund Accounts
The Collector of South Kanara District
The Superintendent, Government Press for publication of the Notifications in the Gazettes.

True Copy / Forwarded / By Order

P. K. Mahadeva
SUPERINTENDENT

FORT ST. GEORGE GAZETTE.

FEBRUARY 24, 1954.

PART I—PAGES 263 AND 264.

PUBLIC WORKS DEPARTMENT.

(Marine.)

Constitution of the Port of Mangalore, rates of port dues leviable and appointment of Port Conservancy Board, Mangalore, to receive dues, etc.

[*G.O. Ms. No.* 546, *P.W.* (*Marine*), 16*th February* 1954.]

No. 5.

In exercise of the powers conferred by section 33 (2) of the Indian Ports Act, 1908 (Central Act XV of 1908), the Governor of Madras hereby makes with effect on and from the 1st May 1954, the following alterations to Part II of the First Schedule to the said Act :—

ALTERATIONS.

In the said schedule—

(1) in part II, in the entries in column (1) under 'Western Group', the entry 'Mangalore', shall be omitted ; and

(2) at the beginning of the same part, in the entry in column (1) relating to Tirunelveli district, after the entries relating to 'Tuticorin' in column (1), the following entries shall be inserted, namely :—

Name of port.	*Vessels chargeable.*	*Rate of port dues.*	*Dues how often chargeable in respect of the same vessel.*
(1)	(2)	(3)	(4)
South Kanara district, Mangalore.	Sea-going vessels of 15 tons and upwards.	*Foreign vessels.*	
		(*a*) In the case of any foreign ship or steamer calling at the Mangalore Port —Not exceeding four annas a ton.	The due is payable on each entry into port.
		Coasting vessels.	
		(*b*) In the case of a coasting ship calling at the Mangalore Port—Not exceeding two annas a ton.	The payment of the due at the port will exempt the ship for a period of sixty days from liability to pay the due again.
		(*c*) In the cases of a coasting steamer calling at the Mangalore Port—Not exceeding four annas a ton.	The due is payable once in thirty days.

No. 6.

In exercise of the powers conferred by section 34 of the Indian Ports Act, 1908 (Central Act XV of 1908), the Governor of Madras hereby notifies that, with effect on and from the 1st May 1954, the rates of port dues leviable at the Port of Mangalore on sea-going vessels of the burthen of 15 tons and upwards shall be—

(*a*) two annas per ton in the case of a coasting ship or steamer, and

(*b*) three annas in the case of a foreign ship or steamer.

No. 7.

In exercise of the powers conferred by section 36 of the Indian Ports Act, 1908 (Central Act XV of 1908), the Governor of Madras hereby appoints with effect on and from the 1st May 1954, the Port Conservancy Board, Mangalore, to receive any dues, fees, or other charges authorized to be taken at the Port of Mangalore by or under the said Act and subject to the control of the State Government, to expend the receipts on any of the objects authorized by the said Act.

M. S. RAM,
Deputy Secretary to Government.

Ports - Mangalore - Port Fund - Constitution of

To the S.P.O.Memo No. 82851F/53-2 d/ 18-9-53
From the S.P.O.Memo No. 3425 G1/53-4 d/ 4-12-53
To the S.P.O.Memo No. 82851 F/53-4 d/ 19-1-54
To the S.P.O.Memo No. 82851 F/53-5 d/ 20-1-54
From the S.P.O.Letter No. 3425 G1/53-5 d/23-1-5
From the S.P.O.Letter No.3425 G1/53-6 d/25-1-54

The Mangalore Port Trust Bill 1953 ha
been passed into law. Action has now to be
taken to constitute the Port Trust and to bring
into force the various sections of the Act. Bu
before the actual constitution of the Port Trus
the Mangalore Port Fund should be separated fro
the Minor Ports Fund and maintained separately.
The State Port Officer has accordingly submitte
draft notifications under the Indian Ports Act,
1908, for publication in the Gazettes. The draf
notifications may be accepted and ordered to be
published in the Gazettes subject to the follow
remarks.

The Port Officer, Mangalore has sugge
ted that ~~the separation may be given effect to~~ the Port Trust might be formed with
from 1-2-54, and the State Port Officer origina
suggested that it might be separated with effec
from 1-4-54. He has however subsequently state
that even 1-4-54 would be impracticable. The
rates of port dues proposed in draft notificati
I & II are different from the existing rates of
port dues and with reference to section 33(5)
of the Indian Ports Act, 1908, any such increas
or imposition of port dues shall not take effect til
the expiration of sixty days from the date day
on which the order was published in the Official
Gazette. Assuming that the notification will be
published before the end of February 1954, the
rates will take effect only from about the 1s

whether the crucial date may be fixed as 1st May 1954.

Subject to orders a draft order is submitted below for approval. (It closely follows the order issued in the case of Tuticorin). Law Department may see for scrutiny before issue. As the notifications have to be published before the end of this month, Law Department may be requested to treat the matter as ~~extremely~~ very special.

5/2/54 5.2.54 6.2.54 Law

LAW (SCRUTINY) DEPARTMENT.

Draft Notification I

The alterations indicated in red ink may be made

Draft Notification II

This notification refers to the notification in draft I and fixes the port dues for the different kinds of vessels specified in that notification. This procedu is cumbersome. The draft notification may be self conta Necessary alterations have been indicated in red ink. P.W.D. will no doubt satisfy themselves that the draft as revised carries out their intention correctly.

The other aotherations indicated in red ink may als be made.

Draft Notification III

The alterations indicated in red ink thereon may be made.

The Mangalore Port Trust Bill, 1953 has been passed into law. As a first step tewar the constitution of the Port Trust and to bringi into force the various sections of the Act, it is oposed to separate the Mangalore Port Fund fro e consolidated State Minor Ports Fund, and mai in it separately with effect on and from 1-5-1 is also proposed to revise the port dues levi e at the Mangalore Port from the same date and thorise the Port Conservancy Board to receive d expend them. The draft notifications below ovides for the above. Law Department have rutinized the draft.

The file may now be circulated to M(r approval of the above proposals.

13.2.54

A.J. Chandy 13.2.54
A.S., P.W.D.

The above proposals may be passed

C.S. Rao 13/2/54

(W) 15/2

SECRETARY TO GOVERNMENT 16 FEB 1954 PUBLIC WORKS DEPARTMENT

DEPUTY SECRETARY TO GOVERNMENT 16 FEB 1954 PUBLIC WORKS DEPARTMENT

Secd. addl. No. 546 P.W.D.
16.2.54.